



VIRGINIA FREEDOM OF INFORMATION ADVISORY COUNCIL

COMMONWEALTH OF VIRGINIA

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Wednesday, August 8, 2018

1:00 PM

**House Committee Room 300A
Pocahontas Building, Richmond, Virginia
PROPOSED AGENDA (Annotated)**

**Records Subcommittee
of the Virginia Freedom of Information Advisory Council**

- 1. Call to Order, introduction of members.**
- 2. Definition of "Public Record;" Social Media.** *At its meeting on April 4, 2018, the FOIA Council referred the following bill to the subcommittee for study, as summarized below.*
 - SB 730 (DeSteph); Virginia Freedom of Information Act. Clarifies that the definition of "public record" does not include records that are not prepared for or used in the transaction of public business. *As you will recall, at its meeting on May 21, 2018, the subcommittee asked staff to prepare a new draft including the discussed changes and recommended language regarding the definition of "public record." At its meeting on June 27, 2017, the subcommittee continued this matter to the next meeting date.*
- 3. Trade Secrets and Proprietary Records.** *At its meeting on April 4, 2018, the FOIA Council referred the following bill to the subcommittee for study, as summarized below.*
 - HB 904 (Robinson); Virginia Freedom of Information Act (FOIA); general exclusion for trade secrets submitted to a public body. *As you will recall, at its meeting on June 27, 2018, the subcommittee asked staff to work with the interested parties in an attempt to develop a solution to the issues raised regarding information related to hydraulic fracturing chemicals.*
- 4. Public Comment.**
- 5. Discussion.**

6. Recommendations.

7. Other Business.

8. Adjournment.

Subcommittee Members

**Marisa Porto (Chair)
Cullen Seltzer
Mark Vucci**

**Shawri King-Casey
Sandra Treadway**

Staff

**Alan Gernhardt, Esq., Executive Director
Chad Ayers, Esq., Attorney**